

**United States District Court
for the
Eastern District of Washington**

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 29, 2019

SEAN F McAVOY CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jesbam Barragan

Case Number: 0980 1:16CR02063-RMP-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U. S. District Judge

Date of Original Sentence: January 12, 2017

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 30 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: September 20, 2018
Defense Attorney: Ben Hernandez Date Supervision Expires: September 19, 2021

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 01/10/2019 and 03/28/2019.

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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6 **Special Condition # 4:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Barragan is considered to be in violation of his conditions of supervision by being unsuccessfully discharged from outpatient treatment services at Merit Resource Services (Merit) for continued drug use on April 23, 2019.

On September 21, 2018, this officer met with Mr. Barragan upon his release from Bureau of Prisons custody. Mr. Barragan reviewed and signed the judgment and sentence, which outlined the conditions of his term of supervised release.

On April 23, 2019, Mr. Barragan was unsuccessfully discharged from Merit due to his continued drug use. Urinalysis (UA) testing results from a specimen collected on March 26, 2019, showed that his levels of drug use increased, indicating he consumed marijuana again, undermining his treatment plan that was developed on that same date.

Re: Barragan, Jesbam

April 29, 2019

Page 2

7

Special Condition # 6: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Barragan is considered to be in violation of his conditions of supervision by consuming marijuana on March 26, 2019.

On September 21, 2018, this officer met with Mr. Barragan upon his release from Bureau of Prisons custody. Mr. Barragan reviewed and signed the judgment and sentence, which outlined the conditions of his term of supervised release.

On March 26, 2019, Mr. Barragan submitted to UA testing at Merit. On April 22, 2019, this officer was informed by Mr. Barragan's counselor at Merit that the UA results were received and the levels were higher, indicating Mr. Barragan had relapsed and consumed marijuana.

On April 23, 2019, Mr. Barragan admitted to Merit staff during his case staffing that he has continued to consume marijuana, including on March 26, 2019.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/29/2019

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

4/29/2019

Date